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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/071,200 | 02/11/2002 | Hidehiro Matsumoto | K3281.0012/P012 | 2948 |

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DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas, 41st Floor
New York, NY 10036-2714

| EXAMINER |
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LAstra, DANIEL

| ART UNIT | PAPER NUMBER |
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3622

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,200

Applicant(s)

MATSUMOTO, HIDEHIRO

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 have been examined. Application 10/071,200 (PERSONAL ACCOUNT COLLECTING SYSTEM CAPABLE OF READILY COLLECTING INFORMATIONS OF ACCOUNTS OF PERSONS) has a filing date 02/11/2002 and foreign data 02/09/2001.

Response to Amendment

2. In response to Non Final Rejection filed 03/21/2005, the Applicant filed an Amendment on 06/20/2005, which amended claims 1, 4, 10, 13 and added new claim 19. The paper submitted on 06/20/2005 claims priority to filing date 02/11/2002.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 4 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter (i.e., "information of a preference) which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant's specification page 9, line 27 – page 10, line 10 indicates preference information related to a referrer (i.e. first user) and not related to the referred consumer (i.e. second user). The information provided by the

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user to the service site is the e-mail account of the second user and not the preference information of said second user (see Applicant's specification page 10, lines 1-10).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Perri et al (US 2001/0020231).

As per claims 1, 10 and 19, Perri teaches:

A personal account collecting system for use in collecting information of accounts of persons on Internet, comprising:

managing means of an information provider for managing a service site for providing information on the Internet (see paragraph 52);

means of a first user for getting access to said service site for providing information through a mobile site on the Internet in order to utilize said service site for providing information (see paragraph 65);

introducing means of said first user for introducing a second user *to the information provider* (see figure 4b; "Please enter in two email addresses of your friends and associates, and we will send them an email telling them about this site"), as a target utilizing said service site for providing information, *said second user being* connected with said first user by human networks (see paragraphs 14, 15 and 76); and

collecting means of said information provider for collecting information of an account of said second user in a database of said service site for providing information (see paragraphs 68-70,78);.

As per claims 2 and 11, Perri teaches:

A personal account collecting system as claimed in claim 1, wherein said first user, by the use of a mobile personal telephone, gets access to said service site for providing information through a mobile site established on the Internet by a communication service provider (see paragraphs 65-66);.

As per claims 3 and 12, Perri teaches:

A personal account collecting system as claimed in claim 1, wherein said information provider is an advertising agent (see paragraph 6);.

As per claims 4 and 13, Perri teaches:

A personal account collecting system as claimed in claim 3, wherein not only said information of an account of said second user but also information of a *preference* of said second user are registered in said data base of said service site for providing information, said advertising agent transferring an advertisement to said second user in

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response to said information of a *preference* of said second user (see paragraphs 76 and 78).

As per claims 5 and 14, Perri teaches:

A personal account collecting system as claimed in claim 3, wherein said communication service provider provides circumstances for establishing said service site for providing information managed by said information provider on the Internet, said communication service provider, in reward for the provision of said circumstances, obtaining advertisement charges from said advertising agent, responsive to an advertisement provided by said advertising agent (see paragraphs 10, 56 and 61);.

As per claims 6 and 15, Perri teaches:

A personal account collecting system as claimed in claim 5, wherein said communication service provider further provides said advertising agent with information of numbers of accesses to said mobile site by said first and second users responsive to an advertisement provided by said advertising agent (see paragraphs 10 and 61);.

As per claims 7 and 16, Perri teaches:

A personal account collecting system as claimed in claim 5, wherein said communication service provider further provides said advertising agent with information of numbers of accounts collected by said collecting means of said information provider 6 responsive to an advertisement provided by said advertising agent (see paragraphs 65-66).

As per claims 8 and 17, Perri teaches:

A personal account collecting system as claimed in claim 1, wherein said information of an account of said second user is an electronic mail address of said second user (see paragraphs 65-66);.

As per claims 9 and 18, Perri teaches:

A personal account collecting system as claimed in claim 1, wherein said human networks are based on reliable human relations so that said second user is a family, a relative, a friend, or the like of said first user (see paragraphs 60, 78);.

Response to Arguments

5. Applicant's arguments filed 06/20/2005 have been fully considered but they are not persuasive. The Applicant argues that in Perry the first user contacts the second user and that in his claimed invention the first user does not contact the second user but instead the first user contacts a service site and gives information about the second user. The Examiner answers that Perry's figure 4B teaches that a first user contacts a service site (i.e. Website 10 see figure 2) and gives information about a second user ("Please enter two emails addresses of your friends and associates, and we will send them an email telling them about this site"). Therefore, in Perry a first user contacts a service site and introduce a second user and said service site contacts said second user, similar to the Applicant's claimed invention.

Applicant argues that Perry does not teach wherein first user is acquainted with the second user. The Examiner answers that Perry's figure 4B teaches "Please enter in two email addresses of your **friends and associates**. Therefore, in Perry the first user is acquainted with the second user.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Right fax number is 571-273-6720.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra
August 31, 2005


RAQUEL ALVAREZ
PRIMARY EXAMINER